

1 **HOFLAND & TOMSHECK**

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3 State Bar of Nevada No. 006587
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8 *Attorney for Defendant Hamblin*

9 **IN THE UNITED STATES DISTRICT COURT**

10 **FOR THE DISTRICT OF NEVADA**

11 UNITED STATES OF AMERICA

12 Case No.: 2:22-CR-00249-RFB-NJK

13 Plaintiff,

14 vs.

15 RUSSELL HAMBLIN,

16 **STIPULATION AND ORDER TO**
17 **CONTINUE SENTENCING**
18 **(SECOND REQUEST)**

19 Defendant.

20 IT IS HEREBY STIPULATED AND AGREED, by and between Jason M. Frierson,
21 United States Attorney, and Assistant United States Attorney Supriya Prasad, counsel for
22 the United States of America, and Jason F. Carr, esq., counsel for Defendant RUSSELL
23 HAMBLIN, that the sentencing proceeding currently scheduled for March 20, 2023 at 10:00
24 a.m. be continued to a date and time convenient to the Court but not less than forty-five
25 days.

26 This stipulation is entered into for the following reasons:

- 27 1. This is the second sentencing continuance request but the first request initiated by
28 current defense counsel. The Court has also moved the sentencing date without a
29 formal stipulation upon the request of the parties. (*See* ECF No. 12.)
- 30 2. That on November 28, 2022, Mr. Hamblin pleaded guilty pursuant to a written
31 plea agreement. (*See* ECF No. 7 (minutes of proceeding).) The written plea
32 contemplates that the revocation sentence in 2:06-cr-00369-JCM-RJJ, a

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1 concurrently pending supervised release violation proceeding. run concurrent to
 2 the sentence imposed in this case. (See ECF No. 6 at 12, ¶ 18.)

- 3 3. That on February 13, 2023, this Court appointed the undersigned defense counsel.
- 4 4. That on March 3, 2023, counsel met with Mr. Hamblin at the Nevada Southern
 5 Detention Center to determine Mr. Hamblin's litigation goals and to discuss the
 6 matter.
- 7 5. That, during that meeting, defense counsel ascertained that Mr. Hamblin would
 8 need to review portions of his discovery he does not currently possess.
- 9 6. That defense counsel is also reviewing the discovery and case law as a result of his
 10 conversation with Mr. Hamblin.
- 11 7. That Mr. Hamblin and defense counsel respectfully ask for time to cogently decide
 12 how to proceed in both cases.
- 13 8. That Mr. Hamblin is aware of this request and agrees that it is in his best interests
 14 to continue this matter.
- 15 9. For the above stated reasons, the parties agree that a continuance of the sentencing
 16 proceeding is appropriate.

17 DATED this 15th day of March, 2023.
 18

19 Respectfully submitted,
 20

21 HOFLAND & TOMSHECK

22
 23
 24 /s/ Jason F. Carr
 25 JASON F. CARR, ESQ.
 26 Counsel for Defendant
 RUSSELL HAMBLIN
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JASON M. FRIERSON
 United States Attorney

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8 *Attorney for Defendant Hamblin*

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10 **FOR THE DISTRICT OF NEVADA**

11 UNITED STATES OF AMERICA

12 Case No.: 2:22-cr-00249-RFB-NJK

13 Plaintiff,

14 vs.

15 RUSSELL HAMBLIN,

16 Defendant.

17 **FINDINGS OF FACT**

18 Based on the pending Stipulation of counsel, and good cause appearing therefore, the
19 Court finds that:

20 1. This is the second sentencing continuance request but the first request initiated
21 by current defense counsel. The Court has also previously moved the sentencing date
22 without a formal stipulation upon the request of the parties. (*See* ECF No. 12.)

23 2. That on November 28, 2022, Mr. Hamblin pleaded guilty pursuant to a written
24 plea agreement. (*See* ECF No. 7 (minutes of proceeding).) The written plea
25 contemplates that the revocation sentence in 2:06-cr-00369-JCM-RJJ, a pending
26 supervised release violation proceeding, run concurrent to the sentence imposed in
27 this case. (*See* ECF No. 6 at 12, ¶ 18.)

28 3. That on February 13, 2023, this Court appointed the undersigned defense
counsel.

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4. That on March 3, 2023, counsel met with Mr. Hamblin at the Nevada Southern Detention Center to determine Mr. Hamblin's litigation goals and to discuss the matter.

5. That, during that meeting, defense counsel ascertained that Mr. Hamblin would need to review portions of his discovery he does not currently possess.

6. That defense counsel is also reviewing the discovery and case law as a result of his conversation with Mr. Hamblin.

7. That Mr. Hamblin and defense counsel respectfully ask for time to cogently decide how to proceed in both cases.

8. That Mr. Hamblin is aware of this request and agrees that it is in his best interests to continue this matter.

9. For the above stated reasons, the parties agree that a continuance of the sentencing proceeding is appropriate.

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ORDER

Based on the foregoing Findings of Fact and for good cause shown IT IS HEREBY ORDERED, that the Sentencing Proceeding currently scheduled for March 12, 2023 at 10:00 a.m. be continued to 8th day of May, 2023 at 9:00 A.M./P.M.

DATED 15th day of March, 2023.

RICHARD F. BOULWARE, II
UNITED STATES DISTRICT JUDGE

HOFLAND & TOMSHECK
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